INBIANA LEGISLATURE.

[Omissions and curtailments of this report for want of space in these columns will appear in an appendix to Volume XXII of the Brevier Legislative Reports.]

IN SENATE. MONDAY, Jan. 19, 1885-10 a. m. ALIEN REAL ESTATE OWNERS.

Mr. SMITH, of Jennings, bill [8. 2] concerning real estate and the alienation thereof, coming up with a favorable committee report, it was read the second time.

Mr. FOULKE: I move that it be ordered engrossed and passed to the third reading. In regard to that bill, which was introduced by the Senstor from Jennings [Mr. Smith], who is absent, I think it is a bill that no two members of the Senate would disagree upon. At present aliens may hold real estate in Indiana, and very large tracts of real estate are being purchased in some counties of this State by persons beyond the sea, who are holding them for speculative purposes. I take it, that it will be conceded that the land of the State belongs to the people of the State, or at least to the people of this country, and that we don't desire to have a repetition here of the same policy which is now existing between England and Ireland, where the land in one belongs to the landlords in the other, and they drain the resources of one for the benefit of a foreign community. It was considered by the committee unanimously that the general provisions of the bill are such as should receive the favorable consideration of the

The bill was ordered engrossed for the third reading.

AFTERNOON SESSION.

Mr. FO WLER offered a preamble and resrintion to examine the contracts entered into for the construction of the three new insane asylums, to see if under existing contracts the work on two of these institutions can not be postponed until such a time as the State can complete the same without oppressing the taxpayers of the State.

Mr. MAGEE opposed its adoption. At the author's suggestion it was not then further considered.

THE STATE S TREASURER.

ndition of the State Treasury, Mr. FOULKE: In the discussion last Wednesday there was a matter brought up by the Senator from Cass [Mr. Magee] in reference to what took place on the introducformed from a source entitled to recogni tion by this body that the public funds are not safe; that the State moneys are on decaned out to private Individuals, while the statute prescribes the method in which these all loans, any fee or bonus which is paid to the State Treasurer for the use of any State ! moneys shall belong to the State. I had occasion to refer to the fact that two years ago a similar resolution was introduced, which the Senator from Henry at that time introduced a resolution for an investigation. and that he proposed to amend it so as to include the retiring Tre-surar, but as soon as he found there was to be a Republican investigated the resolutionwas not, pressed. I have been unable to find in the Sanate Journal the resolution, but the Brevier Reports state what occurred at that time. My en recollection is very distinct that not by any word or vote of mine was any proposed investigation of any person connected with the State offices suppressed. [Reads from Bre-

there was any suppression of an investiga-tion last session, the burden must rest rather upon the Senator from Cass than on me. I voted to suspend the rules that the resolu-tion might be adopted, while the Senator from Cass voted the other way. It seems to me that this is a question upon which there should be no shirking on account of party lines. The Senator from Huntington (Hilligass) stated the other day that he would favor the adoption of this r solution at the proper time, and yet he follows that with a motion to postpone th resolution indefinitely. It seems to me th position of the Sanator is not consistent. I is true at the instance of another Senator h withdrew that motion. If it be true that Governor Porter had neglected his duty, is

vier Reports to substantiate his statement.

The resolution of two years ago was opposed

because it came in at the heels of the session ;

but this one comes in at the commencement

of the session. If the Senator considers

that any argument for us to neglect ours? It is our bounden duty that we should not shift this responsibility upon the shoulders of anybody else. The law has given us the right and imposed upon us the duty to Mr. McCULLOUGH: I desire to offer the

following amendment to the resolution: Resolved by the Senate, the House of Representatives concurring. That the portion of ex Governor Porter's message relating to the State Treasury be referred to a special committee of five from each House, to be appointed by the respective enarman thereof, to report by bill or otherwise what legislation, if any, is neccessary with reference to the State Treasury, and also to report whether an investigation into the affairs of the State Treasary by a legislative committee is at this time probably necessary or proper.

Mr. McCULLOUGH: A good deal has the State Treasury and I think much more good will come to the people of the State by a thorough investigation of the law on the subject than by an examination into how the books of the State Tressurer have been kept. I think it is improper to appoint a committee to make the proposed investiga-tion unless more knowledge comes to this body than comes to it through Governor Porter's message. By a law of 1859 it was made the duty of the State to provide a safe in which the Treasurer could keep the moneys absolutely secure. Confessedly, the State has not done that. The State Freasurer, according to a recent opinion of the Attorney General, is absolutely responsible for every dollar of the State's money that comes into her banks, and he receives, perhaps. \$2,000,000 per year. If burglars take it from him, or if by fire it is destroyed, the Treasurer is bound to return that amount of money. The State has never provided a safe | the loaning of the money of the State. place to keep it, and the Treasurer is compelled to hunt some place which, in his judgment, would be a secure place in which to keep the money of the State. Sec. 5,644 be ing a part of the act of 1859, which provides that the Legislature may appoint a committee to investigate-in more direct terms, if possible, requires the Governor of the State to investigate. Now why is it the Governor of the State is not investigated when he says the newspapers of the State have the extent of making a full, fair and free inbeen bothering him about it since 1883 (Read's from page 8 of the Governor's printed message) The statute which embinding upon him as Governor, because that statute has application in a case where the State has provided a safe place for keeping take any part in the public moneys, which he has not done by quotations from

lature certainly is excused, for its power is given in the same statute and in the same section. Whether the statute is in force or not is a question of importance. The Governor says, in effect, it is not. That is one reason why I suggest a committee of investigation. If that statute does not apply to the Governor, there may some be question as to whether it applies to the State Treasurer covering money into the State Treasury.

It is in the same act and upon condition that the State furnish a place for the safe keeping of the public moneys that the Treasurer is required to pay back the money he may receive for interest. One other among many reasons why I think there ought to be an investigation is that the State Treasurer has to give a bond for \$150,000, while the Treasurer of the United States is but \$10,000 for the custody of a great deal more money. and yet, for some reason or other, gentlemen want to ascertain if the State Treasurer has not been loaning out money, and hold an inquest over it. This same statute that provides that the State Tressurer shall not loan the State's money provides that his salary shall be but \$3,000 per year. He handles \$2,000,000 of the people's money; he gives a bond that puts in jeopardy his all and probably the all of every friend that goes on his bond, and if fire or a burglar takes the money there is no excuse; the money must be returned It has been a recognized fact that the State Treasurer must take care of the public's money wherever he best can. and if he receives interest upon it it is to pay him for the risk he assumes. If it be true that the Governor is excused from acting under the present statute. I am'in favor of passing a law which will require him to act when it has come to his knowledge that there are irregularities in the conduct of the State Treasurer.

Mr. HILLIGASS: I stand upon this resolution as I stood the other day. If there is a necessity for this investigation I am for it. don't understand that the Senator from Wayne [Mr. Foulke] desires this to be a party question; but I am sorry to see that it has assumed somewhat a party character. I see a disposition creeping out to make it partisan. He says I am in favor of the law and against an enforcement of the law. If that statement be true certainly Governor Porter stands in the same attitude. Here is a law requiring him to make this investigation and yet he does not do so. He bases his reference to the State Treasurer upon newspaper reports. Why did he not make an investigation as the law requires? He failed to do that, and I am justified in saving that when the present State Treasurer The special order for this hour coming up. | came into office in February, 1883, Governor | being the resolution for an investigation Porter himself visited the State Treasurer, asked him what he would do with the State then and there not to withdraw money from the banks of the city of Indianapolis, but to follow the precedent set by his predecessor tion of a similar resolution two years ago. | and that if he did withdraw it it would rain Tais resolution was not introduced as a party | the business of Indianapolis. In view of measure; it was not introduced to make | this advice, which I may repeat in view of party capital, but because we have been in- | the fact of this assault in the message of | Governor Porter, it ill becomes any Senator to impugn the honesty or integrity of the | and he signs his name stating that it was ex Treasurer of the State. Therefore, I say I amined by him, and when Governor Porter am in favor of the amendment to the resolution. Let this question be investigated to the fullest extent, and funds shall be kept, and declares in regard to | if there is a recessity for any additional investigation let us have it. would be in favor of going back over a

period of years. Let witnesses be examined. Let ex Governor Porter be summoned as to his advice to the Treasurer of State, and if for some reason failed to pass. The Senator | the law has been violated, has he connived from Cass said it occurred in this way: That | at it by his advice to the Treasurer, and now at the close of his administration comes in and casts a reflection upon the Treasurer, when he himself was a conniver at a violation of law by reason of his advice to the Treasurer at the incep ion of this matter. That is my idea, and I shall support the amendment to the resolution. Mr. MAY: I have theroughly investigated

this matter so far as alleged irregularities by the State Treasurer are referred to in the Governor's message, and I have made up my the difference and show which is the better mind that a Governor of a common wealth of the two. It has been incinuated that the like the State of Indiana ought not to come to the General Assembly in a message and say that we ought to investigate the most important office in the State without making a specific charge against the officer. What does Governor Porter say about the State Treasurer? He simply says that the newspapers since 1883 have been saying that there is something wrong. If the General Assembly proposes to act upon newspaper charges we can investigate almost every officer and everything in Indiana. The resolution of the Senater from Wayne goes much farther than the Governor himself proposes. The resolution of the Senator from Gibson is in accord with the recommendation of the Governor. Upon the direct question of an investigation based upon the Governor's message, I should not hesitate to say I would vote against investigating the Treasurer upon such charges as the Governor alleges, because there is no specific charge upon which to base an investigation. I am willing to go with the Governor in his message and vote for a proposition that will result in necessary legislation so that an investigation of the Tressurer can be had at any time. For that reason I shall support the amendment of the Senator from Gibson.

Mr. ADKISON: I would not say a word except for an instnuation that has been thrown out by the Senator from Huntington (Mr. Hilligass) against the conduct of Gov-ernor Porter. If I had no other resson for supporting the resolution of the Senator from Wayne, the insinuation of the Sanator from Huntington would be sufficient to in duce me to east my vote for that resolution. The Senator from Huntington said that Governor Porter at the commencement of the term of office of the State Treasurer a 1been said about the law upon the subject of | vised him to place the State's money in banks, and the Governor has a right to ap pear before an investigating committee and allowed the privilege of explaining. It might be true at time it was the bas thing to be done under the circumstances but the changed financial condition of the country and the failure of a bank in thi-

city that for thirty years was considered solvent is sufficient to justify the Governor in changing his mind on the subject. There-fore, I am opposed to the amendment and favor the resolution as originally intro-

duced. Mr. DRAKE: I am opposed to the amendment offered by the Senator from Gibsen. It as too much like a motion for continuance in a criminal case. It is conceded here that the moneys of the State are scattered about the town, and the argument upon both sides seems to concede the established custom of The proposition from the Senator from Wayne is to examine as to where that money is-whether or not it is secure, and to make sufficient guards to keep it secure. The only argument that has been made against that resolution is that you must not cast suspicion on Mr. Cooper, the Treasurer of the State. The proposed amendment will go as far to cast a stigma upon Mr. Cooper as the original resolution, but it will not go to vestigation of this charge. The original reso lution proposes to go to the bottom of the imputation, and furnishes the means of dopowers him to investigate he regards as not | ing it successfully. I therefore am opposed

Mr. MAGEE: It is not my purpose to

from Wayne has confronted me with the record I made here two years ago I feel it is just to explain that the Senator from Wayne suppressed part of this record. The lan-guage of the resolution introduced by the Senator from Henry two years ago says in so many words that the outgoing Treasurer of State had in his hands \$700,000, which he had deposited in banks, and instead of turning over the actual cash he turned over individual checks and drafts. So the precedent, if there has been one, as all other bad, vile precedents, is set by representatives of your own sparty. I take it from the reading of this report that the voice of the Senator in favor of reform was not heard in that direction when this very important resolution was under consideration. Now. I want to quote from this report. I want to call my distinguished friend's recollection to something that too't place. (Reading from Brevier Reports.) The Senator who assumed to be the leader on that side wanted to investigate an officer who had been in office but seven days and refused to investigate an officer, who, in the language of the resolution, had received interest on the public funds of the State.

even objected to the reading of the resolususpended in order that it might be intro-

Mr. MAGEE: The Senator from Wayne has brought in part of the record and another part he has suppressed. I admit he is in earnest in this, but when he thinks there | thought further smeedments unnecessary. is any Democrat is opposed to a thorough investigation he is clearly mistaken. We are here not as Democrats nor as Republicans on this question. We have the interests of the people in our charge, and it is our duty as well as desire to see that their interests the subscreed. Let us examine the good faith of the Governor of the State when he calls the attention of the General Assembly | his bond. to the State Treasurer. He says he did not hear of it till 1883, when it came out in the public prints. This man, who has lived in the city of Indianapolis all his of this House have been thoroughly tested, life, who knew years ago as well as to-day, being a director of a bank in which a | its present form. There are other considerapart of the State funds were deposited and from which he drew a per cent. as a stockholder-knew they were so deposited, yet he | consideration of the honor and integrity of said in the first line of this paragraph, in referring to the condition of the public Treasury, in effect, if not in exact words. that it came to his knowledge in 1883, and | for the larger sum proposed. Also, it looks upon the next page he says it came to his I to me as if he would be obliged to put himknowledge rep atedly during sessions of the | self in the hands of his bondsmen, and the Legislature. This is a simple and pure | probability would be that the office would | minded Governor who gets his information | be run by persons outside. We have had a from divers, various and sundry sources and funds, and he advised the State Tressurer is willing to make charges against a man upon such a flimsy base. In December, 1884, the Treasurer of State presented the Governor, as the law requires, a report show ing the condition of the Treasury at that date. and I read upon this report that it was examined by the Governor and filed in his office. The law requires the Governor to make an examination of the State Treasury called attention to the Treasurer in the in

sinuating manner in which he did he did not do it because he believed the Treasurer of the State was unfaithful, but because he was desirous of injecting into his message a little of that demagogical spirit he has nev er been able to suppress either as a Governor or as a private citizen. It seems to me that the present system adopted in the United States Treasury might be adopted in this State with profit to the people Mr. CAMPBELL, of Hendricks: It seems

to me the only question we have to deter mine is which of the two resolutions should be adopted, or rather whether the amendment of the Senator from Gibson is preferable to the resolution offered by the Senator from Wayne. I have been desirous of in formation that I may note intelligently, and I had hoped some Senator would read the original and the amendment, and point out Governor has unfairly cast an impu-tation upon the Treasurer of State by certain language in his message. If so it was wrong. My idea about it is, the best way is to make an investigation into the condition of the Treasurer and the accounts of the Treasury, and refute the imputation, if it can be so done. I would investigate whether the funds of the State are sufficiently secure, and if found that they are not, would adopt such legislation as would make them more secure. If the amendment would make a more thorough investigation than the original resolution, am for the amendment. I think it is neces sary, both for the credit of the State and of the State Treasury, that an investigation shall be had. If it is not made and made fairly, so it will show that | credit both of the State and the State Treasurer. The only question is which resolution will give opportunity for the most thorough investigation. I don't believe we ought to act upon ordinary rumors, but having gone | by this act." thus far we ought all to favor a full and complete investigation; and unless the amendment gives more power to the proposed committee than the resolution I am opposed to the amendment and in favor of

the resolution. Mr. WEIR: Insemuch as considerable time has been consumed, understanding the question to be upon the adoption of the are quite sufficient. amendment of the Senator from Gibson Mr. McCullough), I now demand the pre- ordered engrossed.

vious question. Subsequently this demand was withdrawn. The amendment was adopted by yeas, 28

The resolution as amended was also adopted.

EXECUTIVE APPOINTMENT: A message from the Governor announced his appointment of Thomas A. McQuade, of Clay County, as Mine Inspector, by and with the advice and consent of the Senate. It was referred to the Committee on Ex

ecutive Appointments. JOINT STANDING COMMITTEES. The Lieutenant Governor announced the following:

On Public Buildings-Peterson, Smith of Jay, Campbell of St. Joseph, On State Library-Smith of Jennings May, Duncan of Tipton.
On Canal Fund-Bailey, Hilligass, Moore.

On Claims-Sellers, Null, Macy, On Revision Of The Statutes-Richardson, Duncan of Brown, May, Foulke. Drake. On Woman's Claims-Foulke, Hoover,

McIntosh, Adkison. Mr. Fowler offered a joint resolution, which was adopted for a joint convention of the two Houses at 2 o'clock to-morrow afternoon to vote for United Statas Senator.

HOUSE OF REPRESENTATIVES. Monday, Jan. 19, 1885-10 a. m. STATE TREASURER'S BOND.

Mr. Brooks' bill [H. R. 3] to fix the bond of the Treasurer of State at \$1,000,000, being read the second time-

Mr. KELLISON moved to amend by striking out the words "one million" and inserting the words "five hundred thousand" in

On motion by Mr. CARTWRIGHT, the State has provided a sate place for keeping take any part in this discussion. It seems the public moneys, which he has not done by quotations from the Brevier Reports read confessedly by his own message. Then, unby the Senator from Wayne that I once had out the words "one million" and inserting der the provision of that statute, the Legis- my say about this question. As the Senator | the words "two millions."

On motion by Mr. McMULLEN it was la'd on the table.

Mr. BUIZ moved to strike out the word "12" and insert the word "2)" before the word sureties. The motion was agreed to.

Mr. ROBINSON moved to amend by making the bond one million five hundred thou-

On motion it was laid on the table. Mr. GORDON moved that the bill be ordered engrossed for the third reading. Mr. PATTEN: If the bond is to cover the amount of money in the treasury, it should be large enough to cover the amount of th-public moneys at any time in his hands. I think we should have a committee to investigate this matter; and if it is necessary to have a bond to cover one dollar that we should have a bond to cover the whole amount. No one ought to be favored by us It is our duty to look at it in that light, so that the people will be protected. don't see and understand buw any member can serve his constituents in this matter by voting for a bond of one million when the Treasurer has a larger amount coming into and passing through his hands, I sav Mr. FOULKE (interposing): I will ask this bill ought not now to be engrossed. I whether the record does not state that you | don't believe that it ought to be passed under the circumstances. I think we ought to tion, and refused to allow the rules to be give this matter a fair investigation and then we will be qualified to pass upon the merits

of this bill. Mr. GORDON suggested that there has been an expression of the House on the desire to fix the amount of the bond, and Mr. McMULLEN: The gentleman seems to think that members are rather anxious to hurry this bill along. For one, I am anxlous to harry it along for the reason that within the next twenty days the Treasurer will file his bond. Under the old law he will only be required to file a bond of \$159,000. I want to get the bill through before he files

Mr. KELLISON: I am not here for the purpose of obstructing the bill The gentleman from Putman says that the sentiments I hope that this bill will not be engrossed in tions to be looked at in the fixing of the amount of the bond. There should be the the person whom we elect to this office. It seems to me that it will be impossible almost to secure a man to make a proper bond bond of \$150,000 for many years, and it has always been ample security.

Mr. LOOP moved to amend by striking out the words "one million" and inserting the words "one million two hundred and fifty thousand" in lieu.

On motion by Mr. GORDON the bill was amended by adding an emergency clause. On motion by Mr. OSBORN a proposed amendment to strike out the words "one million" and insert in lieu the words "two million five hundred thousand" was laid on On motion by Mr. CARTWRIGHT the bill

AFTERNOON SESSION.

was ordered engrossed.

Mr. Smith's, of Perry, bill [H. R. 67] supplemental to the drainage act was read the second time, with a committee recommenda-

tion for its passage. Mr. SMITH: I move that the consideration of this bill be postponed until Wednesday at 2 o'cook. I have stated that this bill was the same bill that passed the House two years ago and was vetoed by the Governor It is nothing more than right that we should have this pill as vetoed from the Secretary of State. It seems to be a very innocent bill, but in fact it is a bill that may remove all the milt dams in the State of Indiana. We have fifteen splendid water milis in Tip-pecance County, and I would dislike exceedingly to be a party to a bill that would remove them.

Mr. MOCK, of Wells, believed that the present drainage law covered everything except the part on private donation. This bill might be just as well engrossed at this

Mr. GORDON did not think anything ought to be made a special order unless it be a matter of emergency. I can't see that this, as a matter of ordinary legislation, should be made a special order. It disarranges all legislation both before and after.

Mr. SAYER: It embidies the same teature of a bill of two years ago. That bill was vetoed and should be returned to the House. He moved that the bill be recommitted to the Committee on Dykes and Drains with out instruction.

Mr. ENGLE'S bill [H. R. 72] to amend Section 7 of the Supreme Court act being everything is secure, it will be to the dis- | read second time, Mr. Sayer moved to amend by inserting in the proper place the following: "And the clerks shall not be entitled to receive any fee whatever from any person whatever for making any entries

Mr. SAYRE said: This bill ought to become a law of the State of Indiana. It will afford information that has long been needed. It is well known that whenever any writing is to be done by a public officer, even if only a name, it involves a cost of ten, fifteen or twenty cents. I think that the fees and emoluments already provided

The amendment was adopted and the bill

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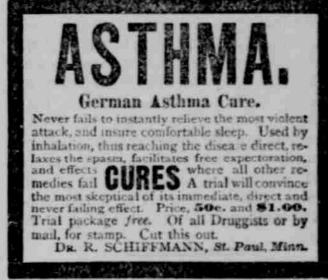
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Ely's Cream Balm. My U.SX. sense of smell was re-stored.—C. M. Stanley, HAY-FEVER Merchant, Lincon, N. Y. Ely's Cream Balm is a remedy founded on a correct diagnosis of this disease and can be depended upon. Cream Balm causes no pain. Gives relief at once. Cleanses the head. Causes healthy secretions. Abates Inflammation, Prevents fresh colds. Heals the sores. Restores the sense of laste and smell. A thorough treatment will cure. Not a liquid or snuff. Applied into the nostrils. Soc. at druggists; Goc. by mail, Bample bottles by mail, 10c.